

WELCOME TO YOUR CITY COUNCIL MEETING

Regular meetings are held on the first and third Thursday of each month at 7 pm and are televised on Cable Television Channel 2 on Monday 7 pm, Tuesday 10 am & 7 pm, Friday 5 pm, Saturday 1 pm and Sunday 7 pm.

Any person wishing to address the City Council, simply proceed to the microphone in front of the dais after the agenda item has been introduced and wait to be recognized by the Mayor. When called upon, please begin by stating your name and address. A time designated "Audience Participation" is listed on the agenda for any matter that does not appear on this agenda. The Mayor will call for audience participation. Please be aware that the city council and staff may not have had advance notice of your topic and that the city council may not be able to provide a decision at the meeting. If you require any special assistance, please notify the City Clerk prior to the meeting.

- *In order to adhere to the recommendation of social distancing and limiting large gatherings of people to mitigate the spread of COVID-19, the City Council Meeting will not be open to the public. In accordance with Kansas Open Meetings Act (KOMA), the meeting can be viewed live via YouTube at www.lansingks.org/live and will be available for viewing on Spectrum Cable Channel 2 the following day.*
- *Want to comment during Audience Participation?*
 - *Submit your comment to Cityclerk@lansingks.org no later than 6:00 p.m. on September 30th.*
- *Questions on agenda items will be read during discussion on that topic.*
 - *Submit your question to Cityclerk@lansingks.org no later than 6:00 pm on September 30th.*

Call To Order

Pledge of Allegiance

Roll Call

OLD BUSINESS:

1. Approval of Minutes

NEW BUSINESS:

Audience Participation

Presentations

Council Consideration of Agenda Items:

2. Title VI Agreement and Plan
3. Request to Purchase – Radar Detection Equipment for Ida and Main Street

Reports:

Department Heads: City Attorney; City Engineer; City Administrator; Councilmembers




Proclamations

Other Items of Interest:

- Board of Zoning Appeals Memo to Governing Body

Adjournment

AGENDA ITEM

TO: Tim Vandall, City Administrator 
THRU: Sarah Bodensteiner, City Clerk 
FROM: Shantel Scrogin, Assistant City Clerk 
DATE: September 22, 2020
SUBJECT: Approval of Minutes

The Regular Meeting Minutes for September 17, 2020 are enclosed for your review.

Action: Staff recommends a motion to approve the Regular Meeting Minutes for September 17, 2020 as presented.

AGENDA ITEM #



Call To Order:

The regular meeting of the Lansing City Council was called to order by Mayor Mike Smith at 7:00 p.m.

Roll Call:

Mayor Mike Smith called the roll and indicated which Councilmembers were in attendance.

Councilmembers Present:

Ward 1: Gene Kirby and Dave Trinkle

Ward 2: Don Studnicka (arrived 7:30pm)

Ward 3: Jesse Garvey and Kerry Brungardt

Ward 4: Tony McNeill and Gregg Buehler

Councilmembers Absent: Marcus Majure

Councilmembers were present via Zoom video conference with Councilmember Studnicka arriving at 7:30pm.

OLD BUSINESS:

Approval of Minutes: Councilmember Buehler moved to approve the regular meeting minutes of September 3, 2020, as presented. Councilmember Garvey seconded the motion. The motion was unanimously approved.

Audience Participation: Mayor Smith called for audience participation and there was none.

Presentations

COUNCIL CONSIDERATION OF AGENDA ITEMS:

League of Kansas Municipalities Voting Delegates: Mayor Smith asked does anybody want to attend besides Tim.

- Councilmember McNeill asked its virtual for three days.
 - Mayor Smith replied well, it goes on. You don't have to be at all of it.
 - City Administrator Tim Vandall responded there's different seminars, workshops, speakers and stuff.
 - Mayor Smith stated you choose the ones you want to go to. They're just not doing it in person. We don't have to have three. We can have one or two or whatever. Do I see anyone else wanting to do this. I don't see any hands.

Councilmember Buehler moved to appoint City Administrator Tim Vandall as a voting delegate at the League of Kansas Municipalities Annual Conference. Councilmember McNeill seconded the motion. The motion was unanimously approved.

Lansing Tree Board Appointment: Councilmember McNeill moved to appoint George Stephenson to the Lansing Tree Board for a term ending on December 31, 2021. Councilmember Garvey seconded the motion. The motion was unanimously approved.

Ordinance No. 1048 -Issuance of General Obligation Refunding Bonds, Series 2020-A:

Councilmember McNeill moved to approve and adopt Ordinance No. 1048. Councilmember Buehler seconded the motion. The motion was unanimously approved.

Resolution No. B-5-2020 – Sales and Delivery of General Obligation Refunding Bonds, Series 2020-A:

City Administrator Tim Vandall stated Beth and I can talk about this one a little bit.

- Mayor Smith responded yeah, go ahead.
 - City Administrator Tim Vandall stated the bond sale was today and had really favorable bids for the both the temp notes as well as the refinancing. Based on the interest rate for the refinancing we're looking at a savings of \$126,993 over the life of that debt so we feel really good about that. We also got a fantastic interest rate on the temp notes as well. I

believe Clayton Kelley with Piper Sandler and Kevin Wempe from Gilmore & Bell are on the Zoom call as well. So, if the Council has any questions for Clayton or Kevin, they could ask those questions, but we feel really good about today. We were ecstatic when the rates came in.

- Mayor Smith stated those rates. Unbelievable.
 - City Administrator Tim Vandall replied absolutely.
 - Mayor Smith asked Council any questions on that. I think we got a better rate than we were projecting.
 - Councilmember Kirby asked what is the rate.
 - City Administrator Tim Vandall replied on the temp notes it was .361% and, on the refinance, it was .451% for a savings of \$126,993.
 - Councilmember Kirby asked can you go a little bit into what is being refinanced.
 - City Administrator Tim Vandall responded yes.
 - Clayton Kelley with Piper Sandler stated I'd be happy to discuss that if you'd like.
 - City Administrator Tim Vandall replied yeah, I'll let you go first Clayton.
 - Clayton Kelly with Piper Sandler stated ok so just overall what we were looking at, I think previously what I told the City was \$75,000 was around our expectations for savings. This includes 2010 bonds, 2010-A bonds and the 2012-B bonds. In aggregate those are about \$4.3 million so that savings we received today was \$127,000 on that \$4.3 million of outstanding bonds. Just a little bit more detail about the sale results, I'd say the last two weeks from what I have seen in some of our sales, its been some of the most impressive sales that I've seen before. Just to put it into perspective, the City received eight bids on the refunding bonds and seven bids on the temp notes. Five, or excuse me, six of the eight bids on the refunding bonds was all under .5%. Right now, the market, banks are really wanting municipal law on paper and just a really great result for the City and definitely the lowest GO bond refunding rate I've seen. I guess the refunding and the taxable temp note, with those seven bids we had probably five or six of them that were below what we were expecting to receive. So just wanted to reiterate a great result for the City. Does that answer your question. I know you were asking about what bonds were refunded but 2010-A bonds and 2012-B bonds that is what ended up being what was refunded.
 - City Administrator Tim Vandall stated I can piggyback on that a little bit if you are looking for more specifics. In 2010 that original bond was for West Mary Street sewer benefit district, a project on 147th Street and then 2012 A & B that was partially some Towne Center expenses as well as a KDOT revolving loan fund and a KDHE revolving fund. The things that we refinanced were quite old issuances.
 - Mayor Smith asked any other questions gentleman.

Councilmember Buehler moved to approve and adopt Resolution No. B-5-2020. Councilmember Garvey seconded the motion. The motion was unanimously approved.

Resolution No. B-6-2020 – Sales and Delivery of Taxable General Obligation Temporary

Notes, Series 2020-1: Councilmember Brungardt moved to approve and adopt Resolution No. B-6-2020. Councilmember Buehler seconded the motion. The motion was unanimously approved.

Resolution No. B-7-2020 – Regional Hazard Mitigation Plan: Councilmember McNeill moved to approve and adopt Resolution No. B-7-2020. Councilmember Garvey seconded the motion. The motion was unanimously approved.

Drainage Basin 9G/9H Sanitary Sewer Interceptor Extension Study: Councilmember Brungardt moved to approve the scope and fee for the 9H Drainage Basin Sewer Study in an amount not to exceed \$43,244.00. Councilmember Kirby seconded the motion.

- Mayor Smith asked Tony, you want to go into it a little bit.
 - Wastewater Utility Director Tony Zell stated I'll answer any questions you might have. Tim and I looked at this in consultation with other staff trying to figure out the next logical place for growth. We felt this was appropriate but want to make sure we can make the best decisions with our money going forward and provide the Council with every option available to provide the resources necessary for the growth.
 - Councilmember McNeill asked did we include the other growth area we identified in the Comprehensive Plan just to the west or is that a separate, I mean if we're going to look at future growth and what that might cost to put sewers in, it makes sense to me that we'd look at, I think there was a west growth area and south. Is there anyway we can look at getting them both done or no. I mean adding them into the Master Plan.
 - City Administrator Tim Vandall stated do them separate.
 - Wastewater Utility Director Tony Zell replied I think it would be appropriate to.
 - Councilmember McNeill stated I'd hate to put this one in and then somebody buys a property out there and says hey, we want to develop this and then we're like.
 - Wastewater Utility Director Tony Zell responded right just so we're all clear this is just to kind of lay out all of our options so we know what we can do should the need arise. We kind of felt this was the hot button place that we were looking for growth, but we can certainly go back and talk with consultants and see what that would take to look at another piece of that.
 - Mayor Smith stated I think Tony has a point. This right here is going down towards McIntyre is that correct.
 - Wastewater Utility Director Tony Zell replied yes.
 - Mayor Smith stated heading south but yet we've got a lot growth over by the high school and I think that is what Tony is leading to.
- City Administrator Tim Vandall responded so I think why this one kind of bubbled up, nothing is obviously imminent but there were people kicking the tires a little bit further south. That is why this one bubbled to the top. We can certainly look at doing one to the west also because I know that is something the governing body spoke to Tony and I about a few years ago was trying to be proactive of how we design our sewers. So, I think we can certainly do an additional study.

- Wastewater Utility Director Tony Zell stated I'd be more than happy to go back and talk with GBA and take a look at that.
 - Councilmember McNeill stated I'm thinking if we are looking out that way and have options, we'll have options around the park or something in there.
 - Wastewater Utility Director Tony Zell responded correct.
 - City Administrator Tim Vandall replied that is a good point.
 - Councilmember McNeill stated everybody has been pushing to get the park going too.
 - Mayor Smith stated there's 125 acres out there just to the east of the park. It was annexed into the City. Eventually somebody's going to I think take over that and develop residential.
 - Wastewater Utility Director Tony Zell stated I would recommend we get this kicked off and trudge forward. We'll certainly talk with the consultants and staff can work together and we'll come back with something as funds become available, I think we're trying to eat this one bite at a time.
 - Councilmember McNeill replied sure.
 - Mayor Smith asked any other questions. I don't see any. Do I already have the motion Sarah.
 - City Clerk Sarah Bodensteiner responded yes.
 - Mayor Smith asked we have a second on it.
 - City Clerk Sarah Bodensteiner replied yes we do.

The motion was unanimously approved.

REPORTS:

Department Heads: Wastewater Utility Director Tony Zell updated the Council on current wastewater projects. The Northwest Sewer project is wrapping up nicely with the final touch on seeding and sodding next week. Curbs and grading were done this week, so they have been busy finishing up. The Ward 1 project has two properties that have agreed to easements with a third property in ongoing discussions. He went over what has been done on the Master Plan over the course of six years. Just over \$10 million has been spent and we have completed five of the eight projects with another one in progress. The other two will be completed as need arises and/or funds become available. We've come a long way in six years. Community & Economic Development Director Matthew Schmitz presented the Council with an idea in regard to the Fall Festival. There is concern that we will not be able to social distance along the trail for the Fall Festival. In talking with other departments like the Library and Parks & Recreation, a drive through trunk or treat was brought up as an option. This would take place instead of the Fall Festival and Spooky Center this year. We would hand out the pumpkins normally given at the Fall Festival along with the Library and Parks & Recreation handing out items. The date is set for October 24th and more information will be put on social media as details are finalized. Councilmember Kirby and Trinkle stated they thought that was a good idea.

City Attorney: City Attorney Greg Robinson had nothing to report.

City Engineer: City Engineer Matt Harding had nothing to report.

City Administrator: City Administrator Tim Vandall let the Council know the school board would like to do a joint meeting at 6pm on October 12th. It will be in person with social distancing. He also let the Council know final cleanup/modifications are being done on DeSoto Rd.

Governing Body: Mayor Smith stated he attended the Fishing Derby recently and staff did a great job with spacing people and thanked them for still having it.

Councilmember Trinkle stated he got a lot of compliments on the fireworks and people being able to watch them from home.

Councilmember Kirby agreed everyone seem to enjoy the fireworks from home this year. He thinks it should be more known that the City donated a substantial amount of the CARES money to the school district to help with the current COVID situation. He ask that everyone wear a mask and get a flu shot.

Councilmember Garvey agreed the feedback from residents was positive with the fireworks being in town and seen from their homes. There were large crowds at Towne Center, but everyone was social distancing and it gave us a sense of normalcy. COVID-19 isn't going away for a while and he encouraged people to

put on a mask and go out and live their life. We shouldn't lock ourselves up at home unless you have health issues.

Councilmember Buehler stated he also received good comments on the fireworks display. He also provided a fun fact, on this day in 1787, the US Constitution was signed in Philadelphia.

Councilmember McNeill thanked Mr. Stephenson for volunteering for the Tree Board. He said he took his granddaughters to watch the fireworks and thought it was great. He also stated it was pretty good work for the staff to shift locations and make it work so well.

Councilmember Brungardt agreed with Councilmember Kirby that the money given to the school district was substantial. It helps get the things needed to keep the kids safe but also the teachers and staff. He realizes not every City Council was as generous and is grateful.

Councilmember Studnicka stated he had some computer problems and couldn't get in until just now, but had nothing further to add.

ADJOURNMENT:


Councilmember Studnicka moved to adjourn. Councilmember McNeill seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:33 p.m.

ATTEST:

Michael W. Smith, Mayor

Sarah Bodensteiner, City Clerk

AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Sarah Bodensteiner, City Clerk 
DATE: September 22, 2020
SUBJECT: Title VI Agreement and Plan

In 2015, the City was audited by the Kansas Department of Transportation(KDOT) Office of Contract Compliance regarding our compliance with Title VI requirements in order to continue to remain eligible for Federal Funding. The Governing Body adopted the Nondiscrimination Agreement and Title VI Program at the August 20, 2015 Council Meeting. Audits by KDOT are conducted and this year, the City was chosen for an audit/review of our Title VI Program. The audit was held on August 31, 2020, and the only recommendation was to re-adopt the plan whenever the Mayor changes.

Policy Consideration: The program requires the inclusion of specific language in contracts, service agreements, and advertisements for bids and services, and right of way/easement documents, which is currently being done.

Financial Consideration: Re-adoption of the plan is recommended in order to remain eligible for Federal Funding.

Action: A motion to approve the Nondiscrimination Agreement and adopt the Title VI Program as presented.

Nondiscrimination Agreement
Population Under 100,000

Kansas Department of Transportation
And Recipient Policy Statement

The City of Lansing, Kansas, hereinafter referred to as the “Recipient” assures that no person shall on the grounds of race, color, national origin, sex, disability, age or low income status as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The Recipient further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

The Civil Rights Restoration Act of 1987, broadened the scope of Title VI coverage by expanding the definition of terms “programs and activities” to include all programs or activities of federal aid recipients, sub-recipients, and contractors/consultants, whether such programs and activities are federally assisted or not (Public Law 100259 [S.557] March 22, 1988).

In the event the Recipient distributes federal aid funds to a sub-recipient, the Recipient will include Title VI language in all written agreements and will monitor for compliance.

The Recipient’s City Clerk, is responsible for initiating and monitoring Title VI activities, preparing reports and other responsibilities as required by 23 Code of Federal Regulations (CFR) 200 and 49 Code of Federal Regulation 21.

Signature

Mayor, City of Lansing, Kansas _____
Title

Date

Title VI Program Organization and Staffing

Pursuant to 23 CFR 200, the City of Lansing, Kansas has designated a Title VI Coordinator who is responsible for Attachment 1, which describes the hierarchy for City of Lansing, Kansas's Title VI Program, including an organization's chart illustrating the level and placement of Title VI responsibilities.

Assurances 49 CFR Part 21.7

The City of Lansing, Kansas hereby gives assurances:

1. That no person shall on the grounds of race, color, national origin, sex, disability, age or low income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the recipient regardless of whether those programs and activities are federally funded or not. Activities and programs which the recipient hereby agrees to carry out in compliance with Title VI and related statutes include but are not limited to:
 - a. List all major programs and activities of the recipient and Title VI responsibilities for each of them. Include information as Attachment 2 to this Nondiscrimination Agreement.
2. That it will promptly take any measures necessary to effectuate this agreement.
3. That each program, activity, and facility (i.e., lands change to roadways, park and ride lots, etc.) as defined at 49 CFR 21.23(b) and (e), and the Civil Rights Restoration Act of 1987 will be (with regard to a program or activity) conducted, or will be (with regard to a facility) operated in compliance with the nondiscriminatory requirements imposed by, or pursuant to, this agreement.
4. That these assurances are given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts or other federal financial assistance extended after the date hereof to the recipient by the Kansas Department of Transportation (KDOT) under the federally-funded program is binding on it, other recipients, subgrantees, contractors, sub-contractors, transferees, successors in interest and other participants. The person or persons whose signatures appear below are authorized to sign these assurances on behalf of the Recipient.
5. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all federally-funded programs and, in all proposals for negotiated agreements.

The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49

CFR Part 26 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.

6. That the Recipient shall insert the clauses of Appendix 1 of this Agreement in every contract subject to the Act and the Regulations.
7. That the Recipient shall insert the clauses of Appendix 2 of this Agreement, as a covenant running with the land, in any deed from the United States effect a transfer of real property, structures, or improvements thereon, or interest therein.
8. That the Recipient shall include the appropriate clauses set forth in Appendix 3 of the Agreement, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under a federal aid program; and (b) for the construction or use of or access to space on, over and under property acquired, or improved under a federal aid program.
9. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this agreement.

Implementation Procedures

This agreement shall serve as the recipient's Title VI plan pursuant to 23 CFR 200 and 49 CFR 21.

For the purpose of this agreement, "Federal Assistance" shall include:

1. Grants and loans of federal funds.
2. The grant or donation of federal property and interest in property.
3. The detail of federal personnel.
4. The sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient.
5. Any federal agreement, arrangement, or other contract which has as one of its purposes, the provision of assistance.

The recipient shall:

1. Issue a policy statement, signed by the head of the recipient, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the recipient's organization and to the general public. Such information shall be published where appropriate in languages other than English.
2. Take affirmative action to correct any deficiencies found by KDOT or the United States Department of Transportation (USDOT) within a reasonable time period, not to exceed 90

days, in order to implement Title VI compliance in accordance with this agreement. The head of the recipient shall be held responsible for implementing Title VI requirements.

3. Designate a civil rights coordinator who has a responsible position in the organization and easy access to the head of the recipient. The civil rights coordinator shall be responsible for initiating and monitoring Title VI activities and preparing required reports.
4. The civil rights coordinator shall adequately implement the civil rights requirements.
5. Process complaints of discrimination consistent with the provisions contained in this agreement. Investigations shall be conducted by civil rights personnel trained in discrimination complaint investigation. Identify each complainant by race, color, national origin or sex, the nature of the complaint, the date of the complaint was filed, the date the investigation was completed, the disposition, the date of the disposition, and other pertinent information. A copy of the complaint, together with a copy of the recipient's report of investigation, will be forwarded to KDOT's Office Contract Compliance (OCC) within 10 days of the date the complaint was received by the recipient.
6. Collect statistical data (race, color, national origin, sex) of participants in, and beneficiaries of the Transportation programs and activities conducted by the recipient.
7. Conduct Title VI reviews of the recipient and sub-recipient contractor/consultant program areas and activities. Revise where applicable, policies, procedures and directives to include Title VI requirements.
8. Attend training programs on Title VI and related statutes conducted by KDOT Office of Contract Compliance.

Discrimination Complaint Procedure

1. Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with the recipient. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the recipient's Title VI Coordinator for review and action.
2. In order to have the complaint consideration under this procedure, the complainant must file the complaint no later than 180 days after:
 - a. The date of alleged act of discrimination; or
 - b. Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, the recipient or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the recipient, the person shall be interviewed by the Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person in reducing the complaint to writing and submit the written version

of the complaint to the person for signature. The complaint shall then be handled according to the recipient's investigative procedures.

4. Within 10 days, the Title VI Coordinator will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as KDOT or USDOT.
5. The recipient will advise KDOT within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to KDOT:
 - a. Name, address, and phone number of the complainant.
 - b. Name(s) and address(es) of alleged discriminating official(s).
 - c. Basis of complaint (i.e., race, color, national origin, or sex)
 - d. Date of alleged discriminatory act(s).
 - e. Date of complaint received by the recipient.
 - f. A statement of the complaint.

Sanctions

In the event the recipient fails or refuses to comply with the terms of this agreement, KDOT may take any or all of the following actions:

1. Cancel, terminate, or suspend this agreement in whole or in part;
2. Refrain from extending any further assistance to the recipient under the program from which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the recipient.
3. Take such other action that may be deemed appropriate under the circumstances, until compliance or remedial action has been accomplished by the recipient.
4. Refer the case to the Department of Justice for appropriate legal proceedings.

**KANSAS DEPARTMENT
OF TRANSPORTATION:**

Signature

Civil Rights Administrator
Title

Date

Name of Recipient:

Signature

Mayor _____
Title

Date

Appendix 1

During the performance of this contract, the contractor/consultant, for itself, its assignees and successors in interest (hereinafter referred to as the “contractor”) agrees as follows:

1. **Compliance With Regulations** – The contractor shall comply with the Regulations relative to nondiscrimination in federally-assisted programs of United States Department of Transportation (USDOT), Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination** – The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of sub-contractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. **Solicitations for Subcontracts, Including Procurement of Materials and Equipment** – In all solicitations either by competitive bidding or negotiations made by the contractor for work to be performed under a sub-contract, including procurement of materials or leases of equipment, each potential sub-contractor or supplier shall be notified by the contractor of the contractor’s obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, sex, or national origin.
4. **Information and Reports** – The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the contracting agency or the appropriate federal agency to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of the contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to KDOT or the USDOT as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance** – In the event of the contractor’s noncompliance with the nondiscrimination provisions of this contract, the contracting agency shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to:
 - a. Withholding of payments to the contractor under the contract until the contractor complies, and/or;
 - b. Cancellation, termination, or suspension of the contract, in whole or in part.
6. **Incorporation of Provisions** – The contractor shall include the provisions of paragraphs (1) through (5) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontractor or procurement as the contracting agency or USDOT may direct as a means of enforcing such provisions including sanctions for noncompliance.

Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the contractor may request KDOT enter into such litigation to protect the interests of the state and, in addition, the contractor may request the USDOT enter into such litigation to protect the interests of the United States.

Appendix 2

The following clauses shall be included in any deeds affecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

GRANTING CLAUSE

NOW THEREFORE, Department of Transportation, as authorized by law, and upon the condition that the state of Kansas will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of Federal Aid for Highways and the policies and procedures prescribed by the United States of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, the Department of Transportation KDOT (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252: 42 USC 2000d to 2000d – 4) does hereby remise, release, quitclaim, and convey unto the state of Kansas all the right, title, and interest of the Department of Transportation in and to said land described in Exhibit A attached hereto and made a part thereof.

HABENDUM CLAUSE

TO HAVE AND TO HOLD said lands and interests therein unto the state of Kansas, and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which the federal financial assistance is extended or for another purpose involving the provisions of similar services or benefits and shall be binding on the state of Kansas, its successors, and assigns.

The state of Kansas, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, sex or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed (,)(and)* (2) that the state of Kansas, shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-Discrimination of Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964,

and as said Regulations may be amended (,) and (3) that in the event of breach of any of the above mentioned nondiscrimination conditions, the department shall have a right to reenter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.

Appendix 3

The following clauses shall be included in all transportation related deeds, licenses, leases, permits, or similar instruments entered into by (Recipient) pursuant to the provisions of Assurance 8.

The LESSEE, for himself or herself, his or her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that in the event facilities are constructed, maintained, or otherwise operated on said property described in this lease, for a purpose of which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the LESSEE shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21,

Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the STATE shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease has never been made or issued.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the Kansas Department of Transportation pursuant to the provisions of Assurance 8.

The LESSEE, or himself or herself, his or her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that (1) no person, on the grounds of race, color, sex, or national origin, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and furnishing of services thereon, no person on the grounds of race, color, sex, and national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the LESSEE shall use the premises in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of

the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the STATE shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.



Organizational Chart



Contract Employees
 City Attorney - 1 Judge - 1
 City Engineer - 1 City Prosecutor - 1

City of Lansing Public Participation Plan Outline


1. Brief description of provider's activities and services

City of Lansing Local Government provides public services to citizens throughout our 7,770 acre city. These services are provided through our various departments.

2. Brief description of activities that would warrant public participation

- Lansing City Council hosts regular open meetings, addressing issues of concern to city of Lansing citizens, and providing an opportunity for citizens to voice any concerns or request information.
- City of Lansing makes every reasonable effort to engage the public when making changes in services, hours of service, code revision, and fees.
- The City Clerk's office notifies the public of any ordinance or resolution changes affecting property. The City Clerk's Office works with the public to recruit qualified candidates for employment.
- The Police Department provides local law enforcement and assists the public with safety and security issues. Additionally, they escort detainees to and from court.
- Public Works Department provides public services in the construction, operation and maintenance of city roads, rights of way, bridges, and stormwater facilities, notifying the public of any closure or other issues. Public notifications include Requests for Proposals (RFP) in contracting for specific city projects or equipment, and public information meetings for proposed construction projects.
- The Public Information Officer coordinates public notification of local emergency situations, public events, and other items of interest to the public, through a wide variety of media and technology.
- The Community & Economic Development Department provides construction document review, civil code enforcement, construction inspection, and planning and zoning information to the general public for the purposes of construction, land development and property preservation. The Community & Economic Development Departments works with the public by assisting the business community and planning events for the community's entertainment and enjoyment.
- Parks and Recreation Department offers recreational programs to the community and maintains all city-owned parks and recreational facilities.
- The Wastewater Utility Department provides sanitary sewer service to the citizens of the City of Lansing and the Lansing Correctional Facility and notified the public of any health issue relating to the release or bypass of untreated sewage from the facility or collection system. Public notification requests include Requests for Proposals (RFP) in contracting for specific sewer projects or equipment and holding public information meetings for proposed collection system construction and improvement projects.
- The Finance Department is responsible for the administration, direction, and coordination of all financial services of Lansing. Financial planning and analysis, budget administration, investment management, accounting, purchasing, accounts receivable, accounts payable, cash receipts, municipal court, and utility billing are all functions of the Finance Department. Finance Department assists customers and residents via phone and in-person.

AGENDA ITEM

TO: Tim Vandall, City Administrator 

FROM: Mike Spickelmier, Director of Public Works *MWUS 9/24/2020*

DATE: September 24, 2020

SUBJECT: Purchase of Radar Detection Equipment for K7 (Main Street) & Ida Traffic Signal

Policy Consideration: Section 4-10 Sole Source Purchasing in the *Lansing Purchasing Manual*, allows for the purchasing of specific equipment. The Wavetronic Smartsensor is the same system that was installed on the at 147th & Ridge Road traffic signal. The purchasing of this system will keep the radar systems the same as far as compatibility, operation, and maintenance of the system.

Financial Consideration: \$55,000 was programmed in Line Item 10-15-41168 in the 2020 budget for this project. The purchase of the additional PTZ (Pan Tilt Zoom) Camera is a cooperative purchase through the Mid American Regional Council (MARC) Operation Green Light (OGL) For a cost of \$2,835. The installation of the equipment will be procured under separate process.

Action:

1. The City Council authorize the Public Works Department to purchase of the radar detection equipment for the Ida & Main Street traffic signal from Mid-American Signal in the amount of \$21,592.

The new radar equipment will be provided to the contractor for installation. The existing equipment will be put into our reserve inventory to be deployed in the event of any of our other existing camera detectors were to fail. It is the goal of the PW department to incrementally phase in radar detection one signal at a time to better improve the operation and reliability of the system. 4H and Main in the next logical signal upgrade, however the inclusion of a pedestrian component at this signal should also be evaluated at that time.



MID AMERICAN SIGNAL, INC.

2429 S MILL STREET KANSAS CITY, KS 66103

PHONE (913) 432-5002

FAX (913) 432-2213

<http://www.midamsignal.com>

QUOTATION

PREPARED FOR: Michael Spickelmier
City of Lansing

DATE: 6/18/2020

PREPARED BY: Shawn Batalia
Mid American Signal

Per Your Request: **Wavetronix Matrix Intersection
K7 and Ida**

QTY	DESCRIPTION	TOTAL
	1 Matrix Intersections to include at each location:	
4	Smartsensor Matrix WX-SS-225	
4	80' Harness for Smartsensor Matrix	
1	CLICK! 650 Cabinet Interface Device	
4	Mounting brackets for Smartsensor Matrix	
1	1000' Spool of Smartsensor Matrix Cable	
		\$ 21,592.00

Terms: Net 30 days from date of invoice, or as approved by Mid American Signal Credit Department.

An interest charge, as permitted by law, may be assessed on accounts unpaid after 30 days.

Quotation is valid for 60 days, with delivery 4-6 weeks after receipt of order.

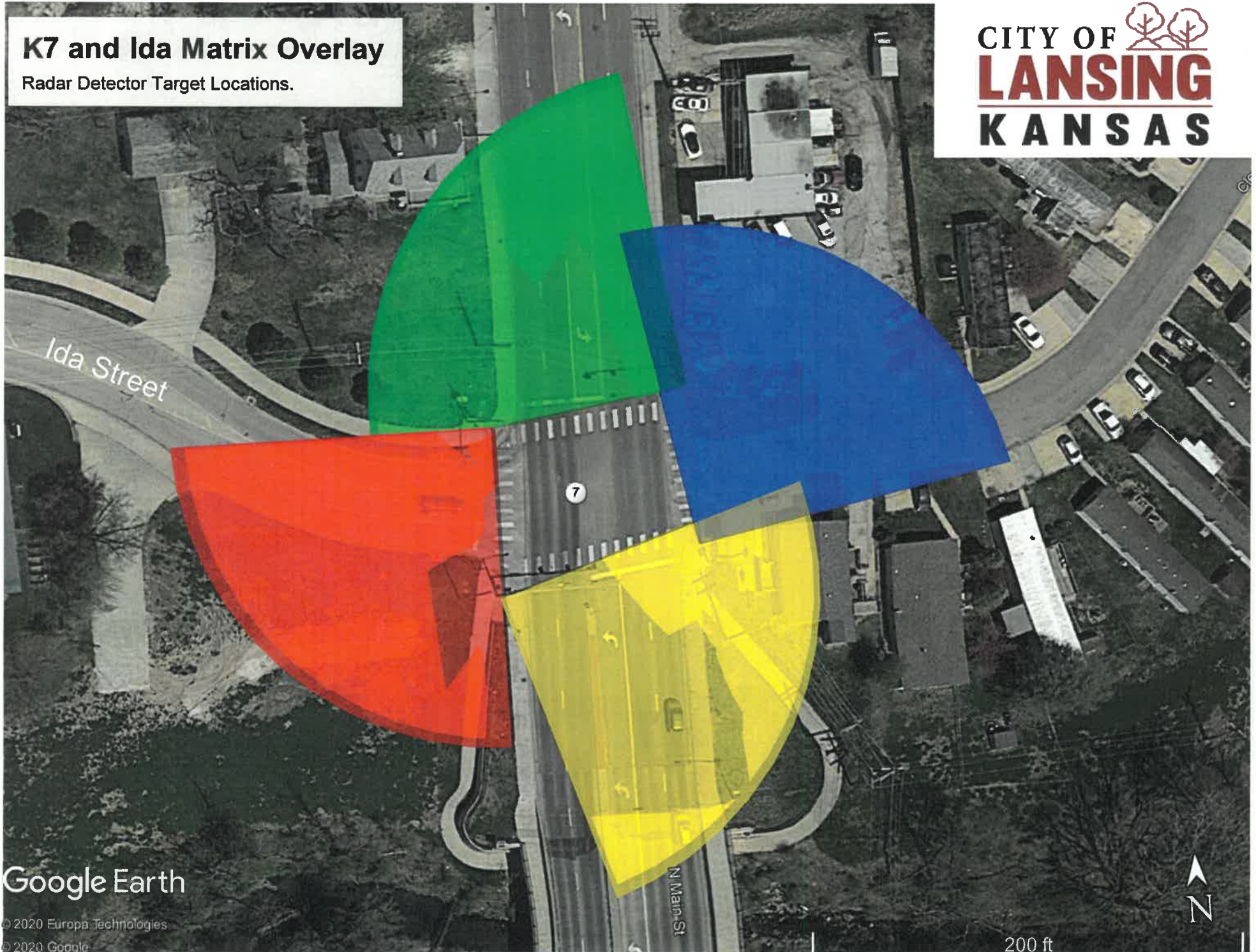
Quotation is based upon quantities shown, any changes can be subject to price adjustment.

The above information is for the use of the person or entity named only. Unauthorized use is prohibited.

The above quotation does not include any installation of the products quoted.

K7 and Ida Matrix Overlay

Radar Detector Target Locations.



Google Earth

© 2020 Europa Technologies
© 2020 Google

200 ft

MEMORANDUM

To: Mayor Mike Smith and City Council

From: Mike Suozzo, President, Board of Zoning Appeals *MS*

Date: September 1, 2020

Subject: The action before the board this evening is an appeal of an administrative decision from the Unified Development Ordinance of Lansing, Kansas. Lynn Provias, as agent, for Windermere Investments is appealing the administrative decision that Select Physical Therapy is classified, for the purpose of zoning, as "Health Care-General" and as such, cannot conduct business at 100 East Kansas Ave, Lansing, Kansas which is located in an area zoned B3. The request from the applicant, is that Select Physical Therapy be designated a "Personal Service" which would allow the business to operate at that location.

.....

The Board of Zoning Appeals met on September 1, 2020. A quorum was present consisting of board members: Mike Suozzo, Timothy Cahill, Rich Hannon and Frank Campana. Board member Chad Neidig was absent. Staff members attending were Matthew R. Schmitz, Director of Community & Economic Development, Rebecca Savidge, City Inspector, and Gregory Robinson, City Attorney.

The Board of Zoning Appeals was called to order at 7:00 p.m. Mr. Suozzo read the administrative appeal and opened the public hearing. Mr. Frank Wolferman, President of Windermere Investments commented that he felt that Select Physical Therapy was not medical and that he was surprised by the denial because there was a physical fitness facility in the building before. Mr. Cahill had questions regarding the size of the business and whether or not Select Physical Therapy was a single entity. Mr. Wolferman and Ms. Nancy LaMaina, Broker from Jackson Cross, answered the business would occupy between 2800 and 3000 square feet. Additionally, Select Physical Therapy was its own entity. Mr. Cahill stated that in his opinion the determination that the business was "Health Care-General" was not correct. Reading the definitions on page 4-13 of the UDO he felt the applicant meet the criteria as a "Personal Service", Ms. LaMaina said that that summed up her position as well. Having no other comments, Mr. Suozzo closed the public hearing and asked if the board members had any discussion. Having no further discussion, a vote on the appeal was taken. All members present voted to grant the appeal and Mr. Suozzo stated that Select Physical Therapy could conduct business at 100 East Kansas Ave, Lansing, KS. Mr. Robinson, as a point of procedure, cautioned that the city could appeal the board's decision to the district court, but did not feel they would. Mr. Schmitz stated that he would not be recommending an appeal.

Second agenda item was the election of President and Vice President. Mr. Suozzo announced that he would not stand for reelection. After nominations and seconds the board voted unanimously for Mr. Cahill, as President and Mr. Hannon, as Vice President. Mr. Suozzo adjourned the meeting at 7:13 p.m. after completing all scheduled business.